

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**DERRICK BAILEY, Individually
and On Behalf of Others Similarly
Situated,**

Plaintiff,

v.

**VULCAN MATERIALS COMPANY
and SOUTHEAST DIVISION
LOGISTICS, LLC,**

Defendants.

CIVIL ACTION FILE

NO. 1:21-CV-0998-MHC

ORDER

This case comes before the Court on the parties' Unopposed Motion for Approval of FLSA Settlement [Doc. 32]. The Court reviewed the parties' Fair Labor Standards Act Settlement and Release Agreements ("Settlement Agreements") [Doc. 32-3; Doc. 32-4; Doc. 32-5] to determine their adequacy and consistency with the requirements of the Fair Labor Standards Act, 29 U.S.C. § 216. See Lynn's Food Stores, Inc. v. United States, 679 F.2d 1350, 1353 (11th Cir. 1982). Based on its review of the parties' Settlement Agreements and the record in this case, the Court concludes: (1) the terms of the Settlement

Agreements are a fair, reasonable, and adequate resolution of this action; and (2) the Settlement Agreements were reached in an adversarial context where both parties had legal representation. Having reviewed the proposed Settlement Agreements, the Court finds them to be a reasonable settlement of Plaintiff's claims under the Fair Labor Standards Act of 1983, as amended, 29 U.S.C. § 201 et seq.

Accordingly, it is hereby **ORDERED** that the Unopposed Motion for Approval of FLSA Settlement [Doc. 32] is **GRANTED**. Upon consideration of the parties' Unopposed Motion, the Court **ORDERS** that the payments of the settlement amount and attorney's fees shall be made as provided in the Settlement Agreements. Except as stated in the Settlement Agreements, each party shall bear its own costs of litigation, including attorney's fees.

It is **FURTHER ORDERED** that all claims in the above-styled action are hereby **DISMISSED** with prejudice.

The Clerk is directed to **CLOSE** the case.

IT IS SO ORDERED this 21st day March, 2022.



MARK H. COHEN
United States District Judge